

Under Article 40 of the Code since 1961 the correct family-group name for this group is PHORORHACIDAE Ameghino, 1889 (type genus *Phororhacos* Ameghino, 1889) regardless of whether the valid name of the genus is *Phororhacos* or *Phorusrhacos*. Proposal of the family-group name PHORUSRHACIDAE by Brodkorb (1963) was counter to the Code. Clarity would be gained by conservation of *Phororhacos* Ameghino, 1889, since otherwise the valid names for the family-group and for its type genus would differ.

Therefore, the SCON supports strongly all six proposals made by Chiappe & Soria on BZN 47: 199.

Comments on the family name for the storm petrels (Aves)

(Case 2024; see BZN 42: 398–400; 44: 44–45; 45: 221–222)

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Melville (BZN 42: 398–400) presented a thorough review of the family names used for the storm petrels (currently HYDROBATIDAE) and the dippers (CINCLIDAE) and a set of proposals to the Commission. Olson (BZN 44: 44–45) objected to the proposals advocated by Melville and in doing so indicated an ignorance of the basic object of the Code 'to promote stability and universality in the scientific names of animals' as stated in the Preamble, and of several of its detailed provisions. In June 1986, at its meeting during the XIX International Ornithological Congress, the members of the Standing Committee on Ornithological Nomenclature (SCON) voted (8 affirmative and 1 negative) to 'affirm its strong acceptance of the Principle of Established Usage as had been adopted at its meeting during the Moscow congress' (Bock, 1988, p. 64). In December 1990, at its meeting during the XX International Ornithological Congress, members of the SCON reviewed Melville's application on HYDROBATIDAE, voted unanimously to support strongly its conclusions and requested that the Commission take prompt action on this case.

When Brodkorb published the first part of his catalogue of fossil birds (1963), the 1961 edition of the Code was in effect. In advocating the name OCEANITIDAE in preference to the name HYDROBATIDAE for the storm petrels, Brodkorb violated three provisions of that Code, namely the Preamble, Article 23b and Article 23d. Most ornithologists, clearly recognizing the chaos which would result from his action, have not followed Brodkorb's lead and continued to use the well-established name HYDROBATIDAE for this group. Improper use of the name OCEANITIDAE for the storm petrels by a few later workers, based on the invalid action by Brodkorb, does not provide a foundation on which to argue that OCEANITIDAE is the valid name for this family-level taxon. For every paper cited by Olson in which the name OCEANITIDAE was used for this family it would be easily possible to list ten or more papers published after 1963 in which HYDROBATIDAE was used. Moreover, all of the major ornithological check-lists and reference works continue to use HYDROBATIDAE.

Based on the provisions of the current Code (3rd edition, 1985), it is clear that the proper name for the storm petrels is HYDROBATIDAE Mathews, 1912 (1865); the presumed homonymy with HYDROBATIDAE Degland, 1849 (p. 445) must be referred to

the Commission for their action (Article 55b). HYDROBATIDAE Mathews, 1912 (p. 9) (1865) takes precedence, under Article 40b, from 1865, the date of the replaced name THALASSIDROMIDAE von Müller which predates its junior subjective synonym OCEANITIDAE Forbes, 1882 (p. 3, based on *Oceanites* Keryserling & Blasius, 1840) by 17 years. The name OCEANITINAE is available for use for a subfamily within the HYDROBATIDAE. Moreover, the situation is complicated by the strong possibility that the original use of the name PROCELLARIIDAE Leach, 1820 was based on *Procellaria* Linnaeus, 1766 (type species the storm petrel *Procellaria pelagica* Linnaeus, 1758) and not on *Procellaria* Linnaeus, 1758 (type species the shearwater *P. aequinoctialis* Linnaeus, 1758). In the first detailed subdivision of the PROCELLARIIDAE into subgroups, Bonaparte (1854) used the name PROCELLARIINAE (based on *P. pelagica*) for the group containing the storm petrels. Ambiguities resulting when tracing many well-established family-group names in zoology back to their earliest applications demonstrate the immense difficulties in attempting to reach stability in these names only by the application of the Principle of Priority.

The remaining question is the homonymy of the names HYDROBATIDAE Mathews, 1912 (1865) and HYDROBATIDAE Degland, 1849 or HYDROBATIDAE Degland & Gerbe, 1867; the last two usages are based on *Hydrobata* Vieillot, 1816 (a junior objective synonym of *Cinclus* Borkhausen, 1797). Examination of Degland (1849) shows that although he proposed the name HYDROBATIDAE for the birds commonly called the dippers, he used as valid the name *Cinclus* Borkhausen, 1797 in this family, not *Hydrobata* Vieillot, 1816 which was mentioned only in a footnote. Hence the family-group name HYDROBATIDAE Degland, 1849 is not available (Article 11f(i)), and the first available use of the name HYDROBATIDAE for the dippers is by Degland & Gerbe (1867), based on *Hydrobata* Vieillot, 1816. HYDROBATIDAE Mathews, 1912 (1865), which takes precedence from 1865, is the senior homonym of HYDROBATIDAE Degland & Gerbe, 1867. Since HYDROBATIDAE Degland & Gerbe is a junior synonym of CINCLIDAE Sundevall, 1836 and is unlikely ever to be the valid name for the dippers no need exists to resolve its homonymy.

The currently valid name for the family-level group (the storm petrels) containing the genus *Hydrobates* Boie, 1822 is HYDROBATIDAE Mathews, 1912 (1865). Although no formal action by the Commission is needed to conserve its well-established usage, clarity of the names discussed above is best achieved by a vote by the Commission. The proposals of Melville (BZN 42: 399–400) can be simplified greatly by a single proposal, namely that the family-group name HYDROBATIDAE Degland, 1849 is not available for purposes of zoological nomenclature because it was based on a generic name not then used as valid by the author; the name would be placed on the Official Index of Rejected and Invalid Family-Group Names.

Additional references

- Bock, W.J. 1988. Report of the Standing Committee on Ornithological Nomenclature. Pp. 62–68 in Ouellet, H. (Ed.), *Acta XIX Congressus Internationalis Ornithologici*. National Museum of Natural Sciences, Ottawa.
- Bonaparte, C.L. 1854. Conspectus systematis ornithologiae. *Annales des Sciences Naturelles, Zoologie, (Paris)*. (4)1: 105–152.
- Degland, C.-D. 1849. *Ornithologie européenne, ou catalogue analytique et raisonné des oiseaux observés en Europe*, vol. 1. 632 pp. Roret, Paris.

Degland, C.-D. & Gerbe, Z. 1867. *Ornithologie européenne, ou catalogue analytique et raisonné des oiseaux observés en Europe*, vol. 1. xxx, 610 pp. Baillière, Paris.

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As pointed out by Dr Bock in the above comment, HYDROBATIDAE Mathews, although published in 1912, takes precedence from 1865 under Article 40b of the Code; although Mathews did not explicitly cite THALASSIDROMIDAE von Müller, 1865 (p. 594), he clearly rejected *Thalassidroma* as being a junior objective synonym of *Hydrobates* and HYDROBATIDAE has gained extremely wide (see Bourne, BZN 45: 221–222) though not universal (Olson, BZN 44: 44–45) acceptance for the storm petrels.

Bock has discussed the family name HYDROBATIDAE Degland, 1849 (p. 445) for the dippers. Although not valid (since CINCLIDAE Sundevall, 1836 is senior) HYDROBATIDAE Degland would, if available, be a senior homonym of HYDROBATIDAE Mathews, 1912 (1865). Degland (1849, p. 446) stated that there was only one [taxonomic] genus in his family, and gave the name '*Cinclus* Bechst. (1802)', with '*Hydrobata* Vieill. (1816)' cited as a synonym. He said in a footnote [in translation]: 'The generic names *Cincle* and *Cinclus* having been applied long ago [e.g. in Moehring's 1752 *Geslachten der Vögel*] to birds of a genus entirely different from that under discussion it would perhaps be more rational to adopt that of *Hydrobata* proposed by Vieillot. If I have not done this, it is so as not to incur blame for having abandoned an established name for another name, which few authors, up to the present, have accepted'. It is evident that HYDROBATIDAE Degland, 1849 was based on the junior objective synonym *Hydrobata*; although it might not be available under a strict interpretation of Article 11f(i), since *Hydrobata* was not 'used as valid', it is desirable to put the matter beyond doubt. Both Bock and Melville (BZN 42: 400) have proposed that HYDROBATIDAE Degland, 1849 be put on the Official Index of Rejected and Invalid Family-Group Names. There is no need to put OCEANITIDAE Forbes, 1882 on the Official List as its status needs no action.

As a simplified version of Melville's proposals (BZN 42: 399–400) the International Commission on Zoological Nomenclature is accordingly asked:

(1) to use its plenary powers:

- (a) to suppress the generic name *Hydrobata* Vieillot, 1816 for the purposes of the Principle of Priority but not for those of the Principle of Homonymy;
- (b) to rule that HYDROBATIDAE Degland, 1849 and other family-group names based on *Hydrobata* Vieillot, 1816 are unavailable because the name of that nominal genus has been suppressed in (1)(a) above;

- (2) to place on the Official List of Generic Names in Zoology the name *Hydrobates* Boie, 1822 (gender: masculine), type species by subsequent designation by Baird, Brewer & Ridgway (1884) *Procellaria pelagica* Linnaeus, 1758;
- (3) to place on the Official List of Specific Names in Zoology the name *pelagica* Linnaeus, 1758, as published in the binomen *Procellaria pelagica* (specific name of the type species of *Hydrobates* Boie, 1822);
- (4) to place on the Official List of Family-Group Names in Zoology the name HYDROBATIDAE Mathews, 1912 (1865) (type genus *Hydrobates* Boie, 1822), with an endorsement that it takes the precedence of the replaced family-group name THALASSIDROMIDAE von Müller, 1865 (p. 594);